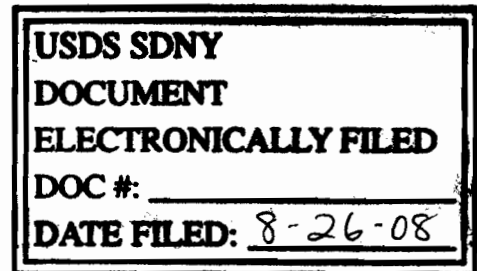


HODGES WALSH & SLATER, LLP
ATTORNEYS AT LAW
55 CHURCH STREET, SUITE 211
WHITE PLAINS, NEW YORK 10601

Paul Svensson, Esq.
Direct E-Mail: psvensson@hwsllaw.com

(914) 385-6000
FAX (914) 385-6060
www.hwsllaw.com

August 21, 2008



Honorable Leonard B. Sand
United States District Judge
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St., Room 1650
New York, NY 10007

Re: CBS Corporation v. Eaton Corporation
1:07-cv-11344-LBS
Our File No: 010-024

Dear Judge Sand:

I am writing to request an extension relative to pre-trial and motion practice to accommodate a need for further discovery.

On March 12, 2008, this Court approved and signed the Rule 26 Joint Status Report that the parties submitted in accordance with the Federal Rules of Civil Procedure. After good-faith efforts, the parties were unable to complete discovery by the original deadlines, and on July 22, 2008, Your Honor granted an extension for the completion of discovery. Despite further good-faith efforts, the parties still have not completed discovery, and all parties have agreed to making a request for an additional extension.

The following are the proposed dates for a new Scheduling Order, which represent a sixty (60) day extension.

Conclusion of Fact Discovery

Existing Date: August 29, 2008
Proposed Date: October 28, 2008

Conclusion of Expert Discovery

Existing Date: October 28, 2008

MEMO ENDORSED

MEMO ENDORSED

Proposed Date: January 5, 2009¹

Plaintiff's Identification of Expert(s) and Production of Report(s)

Existing Date: September 1, 2008

Proposed Date: October 31, 2008

Defendant's Identification of Expert(s) and Production of Report(s)

Existing Date: September 15, 2008

Proposed Date: November 14, 2008

Filing of Dispositive Motions

Existing Date: December 1, 2008

Proposed Date: January 30, 2009

Filing of Responses to Dispositive Motions

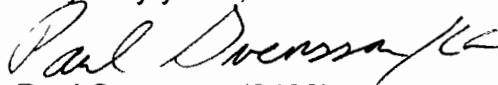
Existing Date: December 22, 2008

Proposed Date: February 20, 2009

The parties submit the Proposed dates for a Scheduling Order in good-faith and will endeavor to satisfy the newly imposed deadlines. To the extent that the newly imposed deadlines become problematic, the parties will promptly notify this Court.

The parties respectfully request that Your Honor grant this request and enter a new Scheduling Order, directing that it be electronically filed.


Very truly yours,


Paul Svensson (3403)

cc:

Frederick W. Bode III, Esq.
Dickie, McCamey & Chilcote, P.C.
Counsel for Defendant
Eaton Corporation
Two PPG Place, Suite 400
Pittsburgh, Pennsylvania 15222
412-281-7272

Elizabeth M. Bradshaw, Esq.
Dewey & LeBoeuf, LLP


J. Sand
JST
8/26/08

¹ There are 71 days between Sunday October 26, 2008 and Monday January 5, 2009. An additional week has been requested in this instance due to the holidays. This instance of a request for an extension of longer than 60 days will not impact subsequent dates.

Counsel for Plaintiff
CBS Corporation
Two Prudential Plaza
180 North Stetson Avenue, Suite 3700
Chicago, Illinois 60601
312-794-8000

Robert A. Abrams, Esq.
Katsky Korins, LLP
Counsel for Plaintiff
CBS Corporation
605 Third Avenue, 16th Floor
New York, New York 10158
212-716-3237

MEMO ENDORSED